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JUN 03 2005

OFFICE OF PETITIONS

In re Application of
Frye and Huitt
Application No. 09/912,009
Filed: July 24, 2001
Attorney Docket No. 38, 146
For: RF Multiple Load Cell Scale

DECISION REFUSING TO
ACCORD STATUS
UNDER 37 CFR 1.47(a)

This is a decision on the renewed petition under 37 CFR 1.47(a), filed February 17, 2005.

The petition is **dismissed**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. Any response should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)" and may include an oath or declaration executed by the inventor. **Failure to respond will result in abandonment of the application.**

It should first be noted that the inventors of record are:

- (1) Craig Frye, and
- (2) Bruce Huitt.

Since Kenneth Bauman cited in the petition is not listed on the declaration, he is not an inventor of record.

The original petition was treated as a request to accept the declaration without the signature of inventor Bruce Huitt.

Petitioner has now submitted a copy of a declaration signed by Huitt. The declaration states each inventor is listed on the declaration and only lists Huitt's name. In other words, the declaration states Huitt is the only inventor.

Unless a petition under 37 CFR 1.48 is filed, Huitt should sign a declaration listing his name and Frye's name.

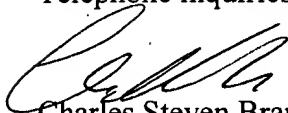
Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

By facsimile: (703) 872-9306
Attn: Office of Petitions

If a request for reconsideration is filed, and a decision on the new petition is not received within three months, petitioner may wish to call the number below to check on the status of the renewed petition.

Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.



Charles Steven Brantley
Petitions Attorney
Office of Petitions